Secta. II-27—40,000—27-10-48.

Food (1948) Department.

Ms SERIES.

G.O. No. 891

Dated 1-10-48

[Despatch Abstract.]

Civil Supplies - Foodgrains - Madras Foodgrains Intensive Procurement Order, 1948 - Issued.

GOVERNMENT OF MADRAS.
Abstract.

Civil Supplies:- Foodgrains - Madras Foodgrains Intensive Procurement Order, 1948 - Issued.

FOOD DEPARTMENT

G.O.Ms. No. 891. Dated the 4th October 1948.

Read:-

G.O. Ms. No. 569, Food, dated 26th June 1948.
G.O. Ms. No. 748, Food, dated 13.8.1948.
~~From~~/ Government Memorandum No. 41238/A/48-1, Food, dated 29.9.1948.

Order:-

The appended notification will be published in an Extraordinary issue of the Fort St. George Gazette.

(By Order of His Excellency the Governor).

M.A. Kuttalingam Pillai,
Secretary to Government.

To

The Superintendent, Government Press for publication in an extraordinary issue of the Fort St. George Gazette on 5.10.1948.
The Board of Revenue (Civil Supplies).
The Board of Revenue (Land Revenue).
The Collectors of all districts except Malabar.
The Inspector-General of Police.
The Deputy Inspector-General of Police, Railways and C.I.D., Madras.
The Government of India, Ministry of Food, New Delhi.
All Provincial Governments of Indian Dominion.
The Regional Food Commissioner, Madras.
Copy to Legal, Revenue, Home and Public Departments.
Copy to the Director of Information and Publicity, Madras.
Copy to Private Secretary to the Hon'ble Premier.

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APPENDIX.

NOTIFICATION

In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (Central Act XXIV of 1946), read with Public (Political) Department Notification No. 27 dated 12th May 1948, published at page 425 of Part I of the Fort St. George Gazette, dated the 18th May 1948, the Notification of the Government of India, Ministry of States No. 176-1-B) dated the 23rd March 1948, the Notification of the Government of India, Department of Food, No. PY. 603(2)-I dated the 21st October 1946, and section 17(2) of the said Act, and with the concurrence of the Government of India, His Excellency the Governor of Madras hereby makes the following order, in supersession of the order published with the Food Department Notification dated the 26th June 1948, at pages 526-527 of Part II of the Fort St. George Gazette, dated the 29th June 1948 as subsequently amended.

ORDER:

1. (1) This order may be called the Madras Foodgrains

(Intensive Procurement)Order, 1948.

(2). It extends to the whole of the Province of Madras including the States of Pudukkottai and Banganapalle, but excluding the district of Malabar.

Explanation:- For the purpose of this Order, the States of Banganapalle and Pudukkottai shallbe deemed to form part of the districts of Kurnool and Tiruchirapalli respectively.

(3) It shall come into force in such areas, on such dates and in respect of such foodgrains, as may be notified in the Fort St. George Gazette in this behalf by the Provincial Government.

2. In this Order, 'foodgrains' means any of the foodgrains specified in the Schedule to this order.

3. (1) Every person, who, whether as holder, occupier, tenant sub-tenant or lessee or in any other capacity, has cultivated or cultivates any land situated in the areas in which this Order is brought into force with foodgrains during fasli 1357 or fasli 1358 or fasli 1359 or who has received or who receives any portion of such foodgrains from such land as rent or interest or repayment of loan in kind or otherwise, shall sold the surplus of such foodgrain as determined by the District Collector or any officer authorized by him in this behalf to be available with such person after each harvest, to the District Collector or an agent appointed and notified by him in this behalf in the District Gazette and to no or else.

(2) In determining the surplus, the District Collector or other officer aforesaid shall take into account the quantity of foodgrains required by such person:-

(a) for consumption by himself and his household;
(b) for payment of rent or interest in kind or for the repayment of loans in kind, where they are due to kind;
(c) for payment to his tenant by way of advance for agricultural expenses, where it is usual to make such advances;
(d) as seeds for cultivation and wages to labourers employed by him; and
(e) for payment to a village artisan or other person entitled to receive it as a customary remuneration for services.

In the South Kanara district, the rent payable to the landlord by the tenant and which by custom is kept by the tenant himself and paid piecemeal to the landlord shall, after deducting the quantity permitted by the District Collector or any officer authorised by him to be kept by the landlord, be treated as surplus with the tenant.

Any determination of the surplus made under this clause may, from time to time, be altered and the surplus re-determined either by the officer who determined it in the first instance or by any higher authority.

4. If it appears necessary for maintaining supplies of foodgrains, the District Collector or any other officer authorized by him in this behalf, may by an order in writing direct, even before the determination of the surplus, the sale of a specified quantity of foodgrains to the Provincial Government or to such persons or class of persons, at such prices or in such circumstances as may be specified in the Order.

5. Delivery to the District Collector or his agent of the foodgrains sold under this order shall be made either in the village in which they were cultivated or at the godowns of the agent on or before the dates that may be notified by

the District Collector in this behalf in the District Gazette from time to time. The prices to be paid for the delivery of the foodgrains so made shall be in accordance with the prices fixed by the Provincial Government.

Provided that in cases where landlords or merchants receive their rent or interest in kind, the foodgrains may also be delivered at the usual place of storage within the revenue division to which it has been transported.

6. Save as provided by any law for the time being in force, no person other than the District Collector or an agent authorized by him in this behalf shall purchase any quantity of foodgrains from any person referred to in clause 3.

7. In the areas in which this Order is brought into force, the District Collector or any officer authorized by him in this behalf, may, by notification in the District Gazette, call for a declaration of stocks of foodgrains from all persons whenever he considers it necessary to do so:

Provided that in the South Kanara district, every person referred to in clause 3 shall, within 14 days from the date of each harvest, file with the Tahsildar of the taluk, a true and correct declaration of the stocks of foodgrains in his possession or under his control at the time of making the declaration and shall not dispose of such stocks, without the written permission of the Tahsildar.

8. Any Revenue Officer not below the rank of Revenue Inspector or Firka Supply Officer or any Rationing Officer not below the rank of Assistant Rationing Officer or any Police Officer of the Anti-Corruption and Anti-Blackmarketing staff not below the rank of Sub Inspector in the areas in which this order is brought into force may, within his jurisidiction, inspect at all reasonable times stocks of foodgrains and for that purpose enter any premises or stop any vehicle or vehicles and search the same and seize stocks of foodgrains in respect of which he has reason to believe that any of the provisions of this Order has been contravened:

Provided that in exercising the power of entry, due regard shall be paid by such officer to the social and religious customs of occupants of the premises:

Provided further that if any such premises be found locked up and unoccupied or unattended by or on behalf of the owner or occupier, the same may in the presence of two independent witnesses, be broken open and entered upon for any or all of the above purposes.

9. If the quantity of foodgrains specified in the Order issued under clause 4 is not sold in accordance with the said Order, or if the surplus as determined or redetermined under clause 3 is not delivered on or before the date notified under clause 5, then, without prejudice to any punishment to which the person concerned may be liable any Revenue Officer not below the rank of Revenue Inspector or Firka Supply Officer or any Rationing Officer not below the rank of Assistant Rationing Officer, within whose jurisdiction the said quantity of surplus foodgrains is stocked, may seize such stocks and deliver them to the agent authorised by the District Collector in this behalf and direct the said agent to pay the person from whom the stocks were seized the value thereof at prices less than those fixed under clause 5.

10. If any person contravenes any of the provisions of this Order then without prejudice to any other punishment to which he may be liable, any Court trying such contravention shall direct that any stock of such foodgrains together with the packages and coverings thereof, in respect of which the Court is satisfied that such provision has been contravened, shall be forfeited to the Provincial Government, unless for reasons to be recorded in writing,

the Court is of opinion that such direction should not be made in respect of the whole or any part of such stock.

11. All proceedings commenced or deemed to have been commenced and all action taken or deemed to have been taken under the Order hereby superseded shall be deemed to have been commenced or taken under the corresponding provision, if any, of this order, and shall, so far as may be, be continued accordingly.

SCHEDULE.

Paddy (rice in the husk).

Rice (Paddy husked).
Cholam, Cumbu, Ragi, Korra, Samai, Varagu and Varigalu.

NOTIFICATION II.

Under clause 1 (3) of the Madras Foodgrains (Intensive Procurement) Order, 1948, published with the Food Department Notification dated the 4th October 1948, in the extraordinary issue of the Fort St. George Gazette, dated the 5th October 1948, His Excellency the Governor of Madras hereby notifies the 5th day of October 1948 as the date on which the said Order shall come into force in the areas specified in column (1) of the schedule below in respect of the foodgrains specified in the corresponding entry in column (2) thereof.

SCHEDULE.

Areas. (1)	Foodgrains. (2)
East Godavari district. West Godavari " Krishna " Guntur. " Nellore. " Tanjore " Tiruchirapalli " Cuddapah " Kurnool " Anantapur " Bellary " Tinnevelly " South Kanara " The Nilgiris.	All foodgrains specified in the schedule to the Order aforesaid.
South Arcot district	
(a) Chidambaram taluk. (b) In the remaining taluks.	-do- Cholam, Cumbu, ragi, Korra, Samai, Varagu or Varigalu.

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/True copy/

R. Thiagarajan
28.12.52
Office Assistant,
Madras Record Office.

k.y.s.

15/XII/52 15/12